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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,665	09/04/2003	Walter K. Baur	CHA920030018US1	5364
23550 7590 04/22/2008 HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207				
EXAMINER ALMATRAHL, FARIS S				
ART UNIT 3627		PAPER NUMBER		
NOTIFICATION DATE 04/22/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hwdpatents.com

### Office Action Summary

**Application No.**

10/654,665

**Applicant(s)**

BAUR ET AL.

**Examiner**

FARIS ALMATRAHI

**Art Unit**

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Status of the Application*

1. This action is in reply to applicant amendment filed January 11, 2008.
2. Claims 3 and 10 are amended.
3. Claims 1-19 are pending in this application

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-3, 5-10, and 12-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Grylewicz (US Pat No. 6,993,502).
6. Regarding claims 1-2, 8-9, and 15, Grylewicz discloses a system and method for processing tax calculation requests, comprising:
  - Receiving a tax calculation request in an industry standard format at a tax engine (Figures 7-9, Column 15 lines 1-55).

- Identifying and resolving customer-specific extensions in the request (Figures 7-9, Column 15 lines 1-55, Column 2 lines 46-58).
- Selecting one of a plurality of tax calculators to handle the request (Column 9 lines 7-42, Column 26 line 48 – Column 27 line 17).
- Translating the request from the industry standard format to a calculator-specific format for the selected tax calculator (Column 26 line 48 – Column 27 line 17, Column 37 lines 25-36).
- Using the selected tax calculator to process the request in the calculator-specific format (Figures 7-9, Column 26 line 48 – Column 27 line 17).

7. Regarding claims 3, 10, and 17, Gryglewicz discloses a system and method for processing tax calculation requests, wherein the tax calculator is selected based on a rule defined in the database (Column 18 lines 1-15, Column 21 lines 10-43).

8. Regarding claims 5, 12, and 18, Gryglewicz discloses a tax calculation system and method wherein at least one of the tax calculators is for a specific geographic region (Figure 11, Column 26 lines 32-47).

9. Regarding claims 6 and 13, Gryglewicz discloses a tax calculation system and method comprising an update system for updating customer-specific extensions and rules (Column 8 lines 19-53, Column 20 lines 14-30).

10. Regarding claims 7, 14, and 16, Gryglewicz discloses a tax calculation system and method wherein the tax engine resides on a computer network (Column 8 lines 8-18).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 4, 11, and 19** are rejected under 35 U.S.C 103(a) as being unpatentable over Grylewicz (US Pat No. 6,993,502) in view of Sullivan (US Publication No. 2003/0055754 A1).

13. Regarding Claims 4, 11, and 19, Grylewicz fails to explicitly disclose a tax calculation system and method wherein the industry standard format comprises 3Y4 XML.

14. However, Sullivan discloses a tax calculation system and method wherein the input format comprises XML (Paragraph [0097]).

15. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Sullivan in the device of Grylewicz reference to include a tax calculation system and method wherein the industry standard format comprises 3Y4 XML, for the advantage of utilizing and easily converting between standardized formats.

***Response to Arguments***

16. Applicant's arguments filed on January 11, 2008 have been fully considered but they are not persuasive

17. Regarding Applicants arguments that the Gryglewicz reference fails to disclose *an interface for receiving tax calculation requests in an industry standard format; [and] a plurality of tax calculators, wherein each tax calculator includes an interface for receiving calculator-specific requests in a non-industry standard format*. Examiner takes into account broadest interpretation of the recited limitation in the instant application. In particular, Applicant argues that there is no reference that indicates another component is able to receive the tax calculation request or that the requests may be in a particular format and that the only component configured to receive the tax request in Gryglewicz is the tax gateway. Gryglewicz, however, discloses a plurality of tax gateways configured to receive tax requests (Figure 1 component 34 and 40, Column 7 lines 20-26). Also, taking the broadest interpretation of the limitation as currently recited, input received by the tax gateway reads on receiving the request in a particular format. Therefore, Gryglewicz reads on the limitations of the instant application as currently recited.

18. Regarding Applicants arguments that the Gryglewicz reference fails to disclose *a translator for translating the tax calculation requests from the industry standard format to a format required for one of the plurality of tax calculators*. Examiner takes into account broadest interpretation of the recited limitation in the instant application. Taking the broadest interpretation of the limitation as currently recited, Gryglewicz discloses

interfacing with the tax gateway for communicating tax calculation requests (Figure 14 component 1124), which reads on translating tax calculation requests from the industry standard format to a format required for one of the plurality of tax calculators. Therefore, Gryglewicz reads on the limitations of the instant application as currently recited.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571)270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

/Faris Almatrahi/  
Examiner, Art Unit 3627

FA